IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 79 OF 2005

Shaikh Farid alias Guddu Shaikh Ibrahim ..Applicant.

V/s.

The State of Maharashtra .. Respondent.

Shri A.R. Shaikh for the Applicant.
Shri A.S. Gadkari, APP for Respondent -State.

CORAM : A.M.KHANWILKAR, J.
DATED : JANUARY 20, 2005

PC :-

. This application is filed by the accused No.2 for bail on the ground of parity. Reliance is placed on the order passed by this court in favour of Rafiq Shah @ Raja Roshan Shah, accused No.4. However, I find force in the submission canvassed on behalf of the State that the present applicant is not entitled to claim parity. So far as the applicant is concerned, he has been identified by four prosecution witnesses and recovery of cash worth Rs. 47,500/- and ornaments has been made. The said cash as well as ornaments have been identified by the complainant party and they have claimed ownership thereof. More over, revolver (katta) has been recovered from the

applicant. Accordingly, so far as the present applicant is concerned, there is direct evidence to connect his complicity in the commission of crime. Not a case for bail. Rejected.

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